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Docket No. 13099

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"Methods of Preventing or Treating West Nile Virus and Other Infections"

the specification of which
(check one)

____is attached hereto.

X was filed on August 23, 2001 as

Application Serial No. 09/935,966

and was amended on _____ (if applicable)

and

_____ described and claimed in PCT International Application No. PCT/_____ filed on_____ and was amended on _____under PCT Article 19.(if applicable),

(the undersigned hereby authorizes its attorney to amend this document to insert the filing date and application serial number when they become known.)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code Section 119(a)-(d) or Section 365 of any foreign application(s) for patent, inventor's certificate, or any PCT international application(s) which designated at least one country other than the United States of America, identified below and have also identified below any foreign application(s) for patent, inventor's certificate, or any PCT international application

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designating at least one country other then the United States of America, having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country (or PCT)	Filing Date	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Provisional Application No.	Filing Date
60/227,422	August 23, 2000

(the undersigned hereby authorizes its attorney to amend this document to insert the filing date and application serial number when they become known.)

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s), or any PCT international application(s) designating the United States of America, that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability, as defined in 37 CFR § 1.56, which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (Patented, pending, or abandoned)

And I hereby appoint

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David A. Kalow, Reg. No. 29,397; Milton Springut,
Reg. No. 27,721; John J. Santalone, Reg. No. 32,794;
Gary Molnar, Reg. No. 30,299, Scott D. Locke, Reg. No. 44,877
J. David Ellett, Jr., Reg. No. 27,875, William D. Schmidt, Reg. No. 39,492,
and Tor E. Smeland, Registration. No. 43,131; Sylvia Chiou, Reg. No. 47,324

each of them of KALOW & SPRINGUT LLP, 488 Madison Avenue, 19th floor, New York, NY 10022, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to

William D. Schmidt, Esq.
KALOW & SPRINGUT LLP
488 Madison Avenue, 19th floor
New York, NY 10022,
(212) 813-1600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: James J. Rahal, M.D.

Citizenship: USA

Residence Address: 314 West 77th Street
New York, NY 10024

Post Office Address: _____

Date of signature 10/23/01 Inventor's signature James J. Rahal